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FILED  
2019 MAY 13 The Honorable Timothy A. Bradshaw  
KING COUNTY  
SUPERIOR COURT CLERK

CASE #: 18-2-14942-8 SEA

SUPERIOR COURT FOR THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF KING

JAMES EGAN, individually,

Plaintiff,

v.

CITY OF SEATTLE, a Washington municipal  
corporation,

Defendant.

NO. 18-2-14942-8 SEA  
(Consolidated)

**ORDER DENYING PLAINTIFF  
WEST'S MOTION FOR PARTIAL  
SUMMARY JUDGMENT**

ARTHUR WEST,

Plaintiff,

v.

SEATTLE CITY COUNCIL, CITY OF  
SEATTLE, LISA HERBOLD, BRUCE  
HARRELL, KSHAMA SAWANT, ROB  
JOHNSON, DEBORA JUAREZ, MIKE  
O'BRIEN, SALLY BAGSHAW, TERESA  
MOSQUEDA, LORENA GONZALEZ,

Defendants.

1           THIS MATTER came before the Court on Plaintiff West's Motion for Partial Summary  
2 Judgment (the "Motion"), and the Court having considered:

- 3           (a) Plaintiff's Motion, and exhibits;
- 4           (b) Plaintiff West's Declaration and Transcript Excerpts (*see* Sub No. 140);
- 5           (c) Plaintiff West's Appendix of Out of State Authorities;
- 6           (d) Defendants' Opposition;
- 7           (e) Defendants' Motion for Summary Judgment (*see* Sub No. 125);
- 8           (f) Declaration of Sally Bagshaw (*see* Sub No. 126);
- 9           (g) Declaration of Lorena González (*see* Sub No. 127);
- 10          (h) Declaration of Bruce Harrell and the exhibits thereto (*see* Sub No. 128);
- 11          (i) Declaration of Lisa Herbold (*see* Sub No. 129);
- 12          (j) Declaration of Rob Johnson (*see* Sub No. 130);
- 13          (k) Declaration of Debora Juarez (*see* Sub No. 131);
- 14          (l) Declaration of Teresa Mosqueda (*see* Sub No. 132);
- 15          (m) Declaration of Mike O'Brien (*see* Sub No. 133);
- 16          (n) Declaration of Gabriella Sanders and the exhibits thereto (*see* Sub No. 134);
- 17          (o) Appendices of non-Washington Authorities in support of Defendants' Motion  
18             for Summary Judgment and in Opposition to Plaintiff West's Motion; and
- 19          (p) Plaintiff West's Reply, and exhibits;
- 20          (q) Plaintiff West's Reply in Opposition, and exhibits.

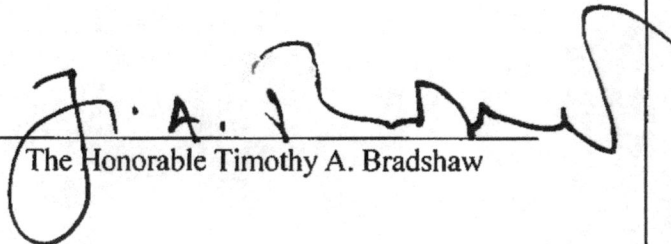
21 and being familiar with the files and pleadings in this matter, and having heard oral argument  
22 from counsel on April 26, 2019, is fully advised.

23           **NOW, THEREFORE**, the Court rules as follows: Plaintiff West's Motion for Partial  
24 Summary Judgment is hereby **DENIED**.

25           **IT IS SO ORDERED.**

26        //

1 DATED this 09<sup>th</sup> day of May, 2019.

2  
3   
4 The Honorable Timothy A. Bradshaw

5 PRESENTED BY:

6 **Peter S. Holmes**  
7 Seattle City Attorney

8 By s/Peter S. Holmes

9 Peter S. Holmes, WSBA #15787  
10 Gary Smith, WSBA #29718  
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18 **SAVITT BRUCE & WILLEY LLP**

19 s/David N. Bruce

20 By

21 David N. Bruce, WSBA #15237  
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*Attorneys for Defendants*

28 s/ Arthur West

29 **ARTHUR WEST**  
30 Plaintiff

31 ORDER DENYING PLAINTIFF WEST'S MOTION FOR  
32 PARTIAL SUMMARY JUDGMENT - 3

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The Honorable Timothy A. Bradshaw

SUPERIOR COURT FOR THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF KING

JAMES EGAN, individually,

Plaintiff,

v.

CITY OF SEATTLE, a Washington municipal  
corporation,

Defendant.

NO. 18-2-14942-8 SEA  
(Consolidated)

**ORDER DENYING PLAINTIFF  
WEST'S CR 56(f) MOTION**

ARTHUR WEST,

Plaintiff,

v.

SEATTLE CITY COUNCIL, CITY OF  
SEATTLE, LISA HERBOLD, BRUCE  
HARRELL, KSHAMA SAWANT, ROB  
JOHNSON, DEBORA JUAREZ, MIKE  
O'BRIEN, SALLY BAGSHAW, TERESA  
MOSQUEDA, LORENA GONZALEZ,

Defendants.

ORDER DENYING PLAINTIFF WEST'S CR 56(f) MOTION

- 1

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1 THIS MATTER came before the Court on Plaintiff West's CR 56(f) Motion (the  
2 "Motion"), and the Court having considered:

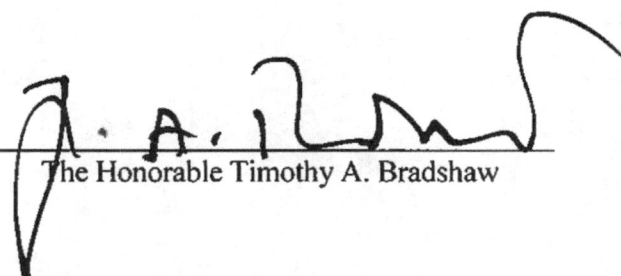
- 3 (a) Plaintiff's Motion;  
4 (b) Defendants' Opposition;  
5 (c) Declaration of Gabriella Sanders and the exhibits thereto; and  
6 (d) Plaintiff West's Reply ("Plaintiff West's Declaration in support of CR 56(f)  
7 Motion");

8 and being familiar with the files and pleadings in this matter, and having heard oral argument  
9 from counsel on April 26, 2019, is fully advised.

10 NOW, THEREFORE, the Court rules as follows: Plaintiff West's CR 56(f) Motion is  
11 hereby **DENIED**.

12 IT IS SO ORDERED.

13 DATED this 09<sup>th</sup> day of May, 2019.

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16 The Honorable Timothy A. Bradshaw  
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1 PRESENTED BY:

2 **Peter S. Holmes**  
3 **Seattle City Attorney**

4 By s/Peter S. Holmes

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19 *Attorneys for Defendants*

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21  
22 s/Arthur West

23 **ARTHUR WEST**  
24 **Plaintiff**